

AO 106 (Rev. 04/10) Application for a Search Warrant

12/10/21

UNITED STATES DISTRICT COURT

for the
Western District of Oklahoma

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 a white 2021 Chrysler Pacifica, bearing Georgia license
 plate CKX6509, VIN: 2C4RC3GG0MR541094,
 registered to Enterprise Rent-A

Case No. M-21-693 -STE

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the Western District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. § 846	Drug Conspiracy
21 U.S.C. § 841(a)(1)	Possession of a Controlled Substance with Intent to Distribute

The application is based on these facts:
 See attached Affidavit

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

MARC JONES, SPECIAL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date: Dec 10, 2021

Judge's signature

City and state: Oklahoma City, Oklahoma

SHON T. ERWIN U.S. MAGISTRATE JUDGE

Printed name and title

WESTERN DISTRICT OF OKLAHOMA

OKLAHOMA CITY, OKLAHOMA

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

AFFIDAVIT

I, Marc Jones, Special Agent with the Federal Bureau of Investigations (FBI), being duly sworn, depose and state as follows:

EXPERIENCE AND TRAINING:

1. I am a Special Agent with the FBI and have been since April 2021. As such, I am an investigative and law enforcement officer of the United States authorized to conduct investigations of, and to make arrests and seizures for, offenses enumerated in, *inter alia*, the Controlled Substances Act, Title 21, United States Code. I am currently assigned to the Oklahoma City Division of the FBI. In becoming an FBI Special Agent, I attended the FBI's twenty-week training academy where I was trained in a variety of investigative matters, including investigations targeting large criminal enterprises, some of which involved the unlawful distribution of narcotics in violation of 21 U.S.C. §§ 841(a)(1) and 846.

2. I am submitting this Affidavit in support of a search warrant authorizing a search of one vehicle; a **white 2021 Chrysler Pacifica**,

bearing Georgia license plate CKX6509, Vehicle Identification Number 2C4RC3GG0MR541094, registered to Enterprise Rent-A-Car (hereinafter **SUBJECT VEHICLE**), further described in **Attachment A**. I am submitting this Affidavit in support of a search warrant authorizing a search of the **SUBJECT VEHICLE** for the Global Positioning System (GPS) data and any cellular data contained in the vehicle black box or any other storage device within the **SUBJECT VEHICLE** from the dates of November 8, 2021 to November 11, 2021.

3. Because this Affidavit is being offered for the limited purpose of obtaining a search warrant, I have set forth only those facts necessary to establish probable cause to support this request. The facts contained in this Affidavit come both from reports of other law enforcement officers and from discussions with other law enforcement officers involved in this investigation.

SUMMARY OF INVESTIGATION:

4. On November 11, 2021, at approximately 1:44 p.m., Oklahoma City Police Department (OCPD) conducted a traffic stop on the **SUBJECT VEHICLE**¹ due to a handicap placard hanging from the rearview mirror obstructing the view of the interstate ahead, a violation of state statute 47-

1 E. Rodriguez stated they had rented this vehicle for five or six days.

12422.B. OCPD pointed out to the driver, Edward Rodriguez (**E. Rodriguez**), that the placard stated "Remove before driving vehicle." OCPD requested that **E. Rodriguez** come to the patrol vehicle while they ran law enforcement checks and **E. Rodriguez** obliged. While in the patrol vehicle, **E. Rodriguez** was observed to be extremely nervous when speaking with law enforcement. He initially stated they left their home in Florida on Sunday (November 7, 2021) but then later stated they left on Monday (November 8, 2021). He said that he and his daughter, Amanda Rodriguez (**A. Rodriguez**), had taken a sightseeing road trip and visited a friend in Scottsdale, Arizona. **E. Rodriguez** further stated they had stayed in a hotel and slept in the car.

5. OCPD returned to the van to obtain the rental agreement. **A. Rodriguez** was still in the vehicle and was visibly shaking. OCPD began a casual conversation with **A. Rodriguez** who stated that they had traveled to Arizona and stayed with **E. Rodriguez's** aunt "for a little bit." **A. Rodriguez** obtained the rental agreement from the glove box and OCPD observed it to have a different name than the driver. OCPD noted that the rental agreement also did not list **A. Rodriguez's** name. The FBI has confirmed that for the dates of November 8, 2021 to November 23, 2021 the vehicle was rented to Edward Rodriguez, date of birth 10/13/1962, address 7412 Highline Drive, Apt 309, Brooksville, Florida, telephone number 813-704-3436; 484-219-2722, Florida driver's license.

6. OCPD asked **E. Rodriguez** if there was anything illegal in the vehicle. **E. Rodriguez** stated there was not. OCPD asked if they could search the vehicle and **E. Rodriguez** stated they could not because he had not done anything wrong. OCPD advised that they had a K-9 present to screen the exterior of the vehicle, **E. Rodriguez** stated that was no problem and they could do that. OCPD informed **E. Rodriguez** that if the K-9 gave a positive alert they would search the vehicle, **E. Rodriguez** stated, "no problem." OCPD also asked **A. Rodriguez** if there was anything illegal in the vehicle and she stated there was not.

7. OCPD deployed state certified narcotics K-9 "Robi" around the exterior of the vehicle. K-9 "Robi" alerted at the driver side sliding door, the rear, driver side wheel-well, and the front, driver side door. Based on the alerts by K-9 "Robi," OCPD conducted a probable cause search of the vehicle. A large colorful duffle bag was found in the factory made stow-and-go in the back-passenger area of the vehicle, which contained several duct taped bundles, one of which field tested positive for cocaine. The vehicle was towed to the OCPD office for further investigation.

8. After completing the search at the OCPD office, a total of 91 pounds (total package weight) of cocaine was found in three duffle bags throughout the vehicle. In the center console, OCPD found a notebook paper with handwritten directions and highways along with two cell phones. A third

cellphone was found in the rear trunk area inside a bag. One bundle was opened from each duffle bag and they all field-tested positive for cocaine.

9. **E. Rodriguez** and **A. Rodriguez** were arrested, transported, and booked into the Oklahoma County Jail, in Oklahoma City, Oklahoma.


10. Search warrants for the content of all three cell phones found inside the **SUBJECT VEHICLE** were signed by an Oklahoma County judge on November 19, 2021.

11. Based on my training and experience, newer vehicles, such as the **SUBJECT VEHICLE**, often contain GPS and cellular data on the vehicle's internal electronic systems. Further, I am aware that GPS and cellular data from individuals involved in drug trafficking often reflects evidence of that drug trafficking including contact with co-conspirators and location information for drug transactions and trafficking runs.

12. Based on the above information, statements by **E. Rodriguez** and **A. Rodriguez**, and evidence found in the **SUBJECT VEHICLE**, there is probable cause to believe that violations of 21 U.S.C. § 841(a)(1) have occurred, and that evidence of these offenses are located within the GPS and cellular data on the **SUBJECT VEHICLE**. Therefore, I respectfully request that this Court issue a search warrant for the GPS and cellular data on the **SUBJECT VEHICLE**, described in Attachment A.



MARC JONES
Special Agent
Federal Bureau of Investigation

SWORN AND SUBSCRIBED before me  this 10th day of December, 2021.



SHON T. ERWIN
United States Magistrate Judge
Western District of Oklahoma

ATTACHMENT A

DESCRIPTION OF ITEM TO BE SEARCHED

Subject Vehicle: a white 2021 Chrysler Pacifica, bearing Georgia license plate CKX6509, Vehicle Identification Number 2C4RC3GG0MR541094, registered to Enterprise Rent-A-Car.



ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

All records and data on the SUBJECT VEHICLE described in Attachment A that relate to violations of law, including, specifically 21 U.S.C. § 846, Drug Conspiracy and or evidence of 21 U.S.C. § 841, Possession with intent to Distribute Controlled Substances. Your Affiant believes there is possibly GPS or cellular data that provides information about illegal activities which involve Edward and Amanda RODRIGUEZ and/ or possible co-conspirators including:

1. Stored communications which are voice recordings/messages, text messages (SMS) and multimedia messages (MMS), emails and attachments, read or unread which relate to and provide evidence of criminal activity described in this affidavit;

2. Stored communications voice or text based located within downloadable messaging applications or social media applications;

3. All internet usage history that may reveal evidence of drug trafficking, such as package tracking, internet mail communications, electronic payment receipts, etc.;

4. Call logs/histories depicting incoming/outgoing numbers dialed to and from telephone devices which relate to and provide evidence of the above described criminal activity and further described in this affidavit;

5. Contacts, address books and calendars, customer lists and related identifying information such as names, nicknames and/or monikers which relate to and provide evidence of the above described criminal activity and further described in this affidavit;

6. Stored location information including global positioning system (GPS) data indicating coordinates, way points, tracks and locations in which the phone has traveled; and,

7. Data and user records/information, password(s) that would assist in identifying/confirming the owner(s)/user(s) of the above referenced property to be searched.